

CHAPTER 1 ORGANIZATION OF THE LOTTERY AND CHARITABLE GAMES CONTROL BOARD

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100 ESTABLISHMENT AND AUTHORITY OF THE BOARD

- 100.1 The District of Columbia Lottery and Charitable Games Control Board ("Board") was established by the "Law to Legalize Lotteries, Daily Numbers Games and Bingo and Raffles for Charitable Purposes in the District of Columbia," D.C. Law 3-172 (also referred to as the "Act"), D.C. Code §2-2501 *et seq.* (1994 Repl. Vol.).
- 100.2 The Board shall exercise its authority by majority vote of its members.
- 100.3 The Board shall not be bound in any way by any action or statement of an individual member or group of members except that action or statement is authorized by a majority vote of the Board.
- 100.4 The Board shall exercise its duties according to D.C. Code §2-2501 *et seq.* (1994 Repl. Vol.).

AUTHORITY: Unless otherwise noted, the authority for this chapter is §4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, D.C. Law 3-172, D.C. Code §2-2501 *et seq.* (1994 Repl. Vol.).

SOURCE: Final Rulemaking published at 33 DCR 3704 (June 20, 1986).

101 OFFICERS OF THE BOARD

- 101.1 The officers of the Board shall be a Chairperson, Vice Chairperson and Treasurer.

- 101.2 A Board member shall hold only one (1) of the offices set forth in §101.1 at any one time.
- 101.3 The position of Chairperson of the Board shall be filled in accordance with D.C. Code §2-2501 (1994 Repl. Vol.).
- 101.4 The Board shall elect annually by a majority vote the Vice-Chairperson and the Treasurer at the September regular meeting.
- 101.5 The election of the Vice-Chairperson and the Treasurer shall be the first order of business of the September meeting. The officers shall take office immediately upon election.
- 101.6 Any officer, other than the Chairperson, shall be removed from office for cause by a majority vote of the Board, but shall remain a member of the Board.
- 101.7 Whenever a vacancy occurs in the office of the Vice Chairperson or the Treasurer, the Board shall elect one (1) of its members to fill that position at the next regular meeting of the Board or at a special meeting of the Board following the vacancy.

SOURCE: Final Rulemaking published at 33 DCR 3704 (June 20, 1986).

102 DUTIES OF OFFICERS OF THE BOARD

- 102.1 The Chairperson's duties shall be as follows:
- (a) Act as official spokesperson for the Board; Provided, that the Chairperson shall represent the position of the Board as established by a majority of the Board;
 - (b) Preside at all meetings of the Board;
 - (c) Appoint the chairperson and members of *ad hoc* committees established by the Board. The Chairperson shall not serve as the chairperson of any *ad hoc* committee, but may be a member of each *ad hoc* committee with a right to vote;
 - (d) Co-sign contracts with the Treasurer unless the signing of contracts is delegated to the Executive Director; and
 - (e) Co-sign checks in excess of five hundred dollars (\$500) with the Executive Director in accordance with D.C. Code §2-2512 (1994 Repl. Vol.).
- 102.2 The Vice Chairperson's duties shall be as follows:
- (a) Assume the duties of the Chairperson in the absence of the Chairperson or at the request of the Chairperson.
 - (b) Co-sign contracts with the Chairperson in the absence of the Treasurer.

102.3 The Treasurer's duties shall be as follows:

- (a) Sign all bank authorization forms;
- (b) Receive all audited financial statements; and
- (c) Co-sign contracts with the Chairperson.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3705 (June 20, 1986).

103 COMMITTEES OF THE BOARD

103.1 The Board shall be composed of one (1) standing committee, which shall be the Committee of the Whole.

103.2 The Committee of the Whole shall review all matters presented by the Executive Director and make recommendations to the Board on those matters.

103.3 The Board may also establish *ad hoc* committees at any time by a resolution of a majority of the Board which shall set forth the name, purposes and, where appropriate, the specified term of the existence of the *ad hoc* committee.

103.4 The Chairperson shall appoint a chairperson and member(s) to the *ad hoc* committees.

103.5 An *ad hoc* committee shall be dissolved upon submission of a final report and recommendation(s) to the Board, or upon the expiration of a specified term of the committee if the term is in the establishing resolution, or by vote of a majority the Board.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3706 (June 20, 1986).

104 REGULAR MEETINGS

104.1 Regular meetings of the Board shall be held monthly.

104.2 The regular meetings shall be held at 6:30 p.m. on the first Wednesday of each month; Provided, that a meeting may be changed by the Chairperson, with the concurrence of the majority of the Board members.

104.3 In the event that the first Wednesday of the month is a legal holiday, then the regular meeting shall be held on the next business day at 6:30 p.m., or at a time and date approved by the Board,

104.4 Public notice shall be posted for each regular meeting in a public access area at the office of the Board and in the *D.C. Register*.

104.5 The Executive Director shall inform the press and the media of all regular meetings as soon as possible after the Board has determined that a meeting will be held.

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- 104.6 Prior to any meetings of the Board, the Executive Director shall, after consulting the Chairperson, prepare an agenda for the meeting.
- 104.7 The agenda of the regular meeting of the Board shall include the following:
- (a) A report of the Chairperson of the Board, which may include, but is not limited to, any item for the information of the Board;
 - (b) Approval of the minutes;
 - (c) A report of the Executive Director which may include, but shall not be limited to, items for the information of the Board, items for referral to Board committees, items recommended by the Committee of the Whole, and items requiring a vote by the Board;
 - (d) Comments by any Board member which may include items for information or items requiring a vote by the Board; and
 - (e) Comments from the public.
- 104.8 Three (3) Board members shall constitute a *quorum* for the transaction of business, except that where the Board may issue, revoke or suspend a license authorized by the Act, then four (4) Board members shall constitute a quorum.
- 104.9 The affirmative vote of three (3) Board members shall be the action of the Board, except as provided in §104.10.
- 104.10 The affirmative vote of four (4) Board members shall be required to issue, revoke or suspend a license in accordance with D.C. Code §2-2502 (1994 Repl. Vol.).
- 104.11 The Board may sit and consider matters in the absence of a quorum, but no action shall be taken in the absence of a *quorum*.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3706 (June 20, 1986).

105 COMMITTEE OF THE WHOLE MEETINGS

- 105.1 The Committee of the Whole shall be composed of all members of the Board.
- 105.2 Committee of the Whole Meetings shall be held monthly.
- 105.3 The Committee of the Whole meeting shall be held two (2) weeks before the regular Board meeting at 6:30 p.m.; Provided, that the time and date of the Committee of the Whole meeting may be changed by the Chairperson after concurrence by a majority of the Board members.
- 105.4 Public notice shall be posted for each Committee of the Whole meeting in a public access area at the office of the Board.

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- 105.5 The Executive Director shall inform the press and the media of all Committee of the Whole meetings as soon as possible after the Board has determined that a meeting will be held.
- 105.6 Prior to any Committee of the Whole meeting, the Executive Director shall prepare an agenda for the meeting after consulting with the Chairperson.
- 105.7 The agenda of the Committee of the Whole meeting shall include the following:
- (a) A report by the Chairperson;
 - (b) A report of the Executive Director, which may include, but shall not be limited to, items for the information of the Board and items requiring the Committee of the Whole's recommendations to be made to the Board for Board vote, especially licensing, as required by D.C. Code §2-2502 (1994 Repl. Vol.);
 - (c) Comments by any Board member; and
 - (d) Comments from the public.
- 105.8 Three (3) Board members shall constitute a *quorum* for the transaction of business.
- 105.9 The affirmative vote of three (3) Board members shall constitute the final action of the Committee of the Whole.
- 105.10 The Committee of the Whole may meet and consider matters in the absence of a quorum, but no action shall be taken in the absence of a *quorum*.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3707 (June 20, 1986).

106 AD HOC COMMITTEE MEETING

- 106.1 The Chairperson of any *ad hoc* committee or any two (2) members of an *ad hoc* committee may call a meeting of the committee by informing the Executive Director of the purpose of the meeting not less than forty-eight (48) hours before the meeting.
- 106.2 An *ad hoc* committee shall be composed of at least three (3) Board members.
- 106.3 Two (2) Board members shall constitute a *quorum* for the transaction of business.
- 106.4 The affirmative vote of two (2) Board members present at the time of a vote shall constitute the action by an *ad hoc* committee.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3708 (June 20, 1986).

107 SPECIAL MEETINGS

- 107.1 Special meetings of the Board may be called to conduct official business of the Board between regular Board meetings.
- 107.2 The Chairperson of the Board may call a special meeting of the Board by informing the other Board members of the purpose of the special meeting not less than forty-eight (48) hours before the meeting.
- 107.3 Any three (3) members of the Board may call a special meeting of the Board by informing the Chairperson and the Executive Director of the purpose of the special meeting time and place not less than forty-eight (48) hours before the meeting.
- 107.4 Upon receipt of the notice for a special meeting, the Executive Director shall inform the members of the Board of the time, place and purposes of the special meeting.
- 107.5 Notice to the public of a special meetings of the Board shall be posted in a public access area at the Office of the Board.
- 107.6 The Executive Director shall inform the press and the media of all special meetings as soon as possible after the Board has determined that a meeting will be held.
- 107.7 The agenda of the special meeting shall include only those items set forth in the notice of the meeting.
- 107.8 The Board shall take action only on the items set forth in the agenda.
- 107.9 The *quorum* and voting requirements set forth in §§104.8, 104.9, and 104.10 shall apply to special meetings.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3709 (June 20, 1986).

108 EMERGENCY MEETINGS

- 108.1 The Chairperson of the Board may call an emergency meeting of the Board by informing the other Board members of the nature of the emergency and the purpose of the meeting.
- 108.2 Any three (3) members of the Board may call an emergency meeting of the Board by informing the Chairperson and the Executive Director of the nature of the emergency and purposes of the meeting.
- 108.3 Upon the receipt of a call for an emergency meeting, the Executive Director shall inform the members of the Board of the time, place, and purposes of the emergency meeting.
- 108.4 Notice to the public of an emergency meeting of the Board shall be posted in a public access area at the Office of the Board.

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- 108.5 The press and the media shall be informed of an emergency meeting as soon as possible after the Board has determined that a meeting will be held.
- 108.6 The agenda of an emergency meeting shall include only the items set forth in the notice of the meeting.
- 108.7 The Board shall take action only on the items set forth in the agenda.
- 108.8 Prior to taking any action on the agenda item(s) at an emergency meeting, a majority of the Board's members present shall ratify the declaration of an emergency.
- 108.9 The *quorum* and voting requirements set forth in §§104.8, 104.9, and 104.10 shall apply to an emergency meeting.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3710 (June 20, 1986).

109 CONDUCT OF MEETINGS

- 109.1 All meetings of the Board shall be held at the Office of the Board unless specifically changed by majority vote of the Board. Notwithstanding any other provisions of this subsection, all meetings shall be held within the District.
- 109.2 Board meetings shall be held in open session unless closed to the public for executive session.
- 109.3 The applicable provisions of *Robert's Rule of Order, Revised*, shall govern the conduct of meetings of the Board, except as provided by this chapter.
- 109.4 The order of items on the agenda of a meeting may be changed by consent of a majority of the Board.
- 109.5 Board members shall not vote by proxy.
- 109.6 If there is a vacancy on the Board and one (1) Board member is absent for a meeting but is accessible by telephone, the absent Board member may vote by telephone if the vote is solely for the purpose of licensing and the Board complies with the requirements of §109.7.
- 109.7 When the Board polls an absent member pursuant to §109.6, it shall use equipment which will allow all members and other persons who are present at the meeting to hear what is said to or by the absent member.
- 109.8 If the Board is unable to complete a meeting, the Board may recess the meeting for a time not to exceed five (5) business days and the Chairperson must state time, place and date for the reconvened meeting before recess.
- 109.9 The Board may recess a meeting by majority vote.

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- 109.10 It shall not be necessary to give notice of the reconvened meeting or of the business to be transacted other than by an announcement at the meeting at which the recess is taken.
- 109.11 A person who attends a meeting of the Board may file a statement with the Board before or after a meeting.
- 109.12 At the conclusion of the meeting, and after recognition by the Chairperson, a person who attends a meeting of the Board may make a statement.
- 109.13 No person from the public may create distractions or interfere with the conduct and disposition of the Board's meeting. At the discretion of the Chairperson, a person violating the provisions of this subsection may be removed from the meeting.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3710 (June 20, 1986).

110 EXECUTIVE SESSIONS

- 110.1 For the purpose of this chapter, the term "executive session" means a Board meeting or subcommittee meeting where the public, employees of the Board, or any other person may be excluded.
- 110.2 In accordance with Pub.L. 93-198 title VII, §742 (D.C. Code §1-1504 (1992 Repl. Vol.)), the Board while in Executive Session, shall not take official action of any kind.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3711 (June 20, 1986).

111 COMMUNITY MEETINGS

- 111.1 The Board may call a community meeting at any time to hear from members of the public on any matter of concern to the Board or public.
- 111.2 Members of the public shall be placed on the agenda of a community meeting by informing the Executive Director not less than twenty-four (24) hours before the meeting.
- 111.3 Speakers shall be called in the order in which they are placed on the agenda.
- 111.4 At the discretion of the Chairperson, members of the audience who are not on the agenda may be heard after the completion of the agenda.
- 111.5 Each speaker at a public meeting shall be limited to not more than five (5) minutes for presentation, except each speaker may be allowed additional time to respond to questions from members of the Board at the discretion of the Chairperson.
- 111.6 Rules of *quorum* shall not apply to community meetings.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3712 (June 20, 1986).

112 RECORDKEEPING

- 112.1 The records of the Board shall be maintained at the Board's Office.
- 112.2 Transcripts of Board proceedings as required by law or this chapter shall be maintained at the Board's office.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3712 (June 20, 1986).

113 PUBLICATION AND PUBLIC DOCUMENTS

- 113.1 Minutes of the Board shall be published upon approval by a majority of the Board.
- 113.2 The public, upon request, may obtain copies of the following:
 - (a) Transcripts, or portions of transcripts, of regular monthly meetings, special meetings, emergency meetings, public hearings and meetings of the Board, except transcripts of Executive Session; and
 - (b) The rules of the Board.
- 113.3 The Board shall charge fees for copies of transcripts and rules as set forth in Title 1, §400 of the *District of Columbia Municipal Regulations* (1986).
- 113.4 All fees collected shall be used to defray the costs of preparing, compiling, and duplicating copies of the rules and transcripts.
- 113.5 Copies of the rules of the Board and transcripts of meetings of the Board shall be available for public inspection in the offices of the Board during normal business hours.
- 113.6 The Board may not charge a fee to any District agency for Board materials.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3712 (June 20, 1986).

114 EXECUTIVE DIRECTOR

- 114.1 In accordance with D.C. Code §2-2503 (1994 Repl. Vol.), the Executive Director shall be appointed and may be removed by a majority vote of the Board.
- 114.2 In accordance with D.C. Code §2-2503 (1994 Repl. Vol.), the Executive Director, subject to Board action, shall administer, supervise, and coordinate the operation of legal gambling activities.
- 114.3 In addition to the duties set forth in §114.2, the Executive Director shall perform the following duties:
 - (a) Post notices of all regular, special, and emergency meetings of the Board;

- (b) Inform the press, media and public of all regular, special, and emergency meetings of the Board;
- (c) Maintain and certify the minutes of the proceedings of the Board;
- (d) Maintain the transcripts of Board proceedings;
- (e) Establish and implement a system for the distribution of documents;
- (f) Establish and implement hearing procedures;
- (g) Prepare all reports and financial, accounting, and revenue statements made or required by the Board;
- (h) Prepare all publications;
- (i) Prepare the Board's annual budget and supplemental request to be submitted to the Mayor;
- (j) Prepare annual financial statements required to be submitted by the Board;
- (k) Ensure that adequate internal controls are established in the areas of accounting and funds management;
- (l) Inform members of the Board of the fiscal activities of the Board and all matters of a financial nature; and
- (m) Procure goods and services for the Board.

SOURCE: Final Rulemaking published at 33 DCR 3704, 3713 (June 20, 1986).